A BILL FOR AN ACT

RELATING TO VIOLATIONS OF CAMPAIGN FINANCE LAW.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:

SECTION 1. Section 11-410, Hawaii Revised Statutes, is amended as follows:

1. By amending subsection (a) to read:

"(a) The commission may make a decision or issue an order affecting any person violating any provision of this part [section 281-22] that may provide for the assessment of an administrative fine as follows:

(1) If [an individual,] a person other than a person described in paragraph (2), an amount not to exceed $1,000 for each occurrence or an amount [equivalent to] not to exceed three times the amount of an unlawful contribution or expenditure; or

(2) If a [corporation, organization, association, or labor union,] noncandidate committee that makes only independent expenditures and, in one election period, has either received at least one contribution of more than $10,000 from any one person or has made
expenditures of more than $10,000 in the aggregate, an
amount not to exceed [$1,000] $5,000 for each
occurrence[\textit{r}] or an amount not to exceed three times
the amount of an unlawful contribution or expenditure;
provided that whenever a corporation, organization, association,
or labor union violates this part, the violation may be deemed
to be also that of the individual directors, officers, or agents
of the corporation, organization, association, or labor union,
who have knowingly authorized, ordered, or done any of the acts
constituting the violation."

2. By amending subsection (c) to read:
"(c) If an administrative fine is imposed upon a
candidate[\textit{r}] or noncandidate committee, the commission may order
that the fine, or any portion[\textit{r}] of the fine, be paid from the
[candidate’s] personal funds[\textit{r}] of the candidate or officers of
the noncandidate committee."

SECTION 2. This Act does not affect rights and duties that
matured, penalties that were incurred, and proceedings that were
begun before its effective date.

SECTION 3. Statutory material to be repealed is bracketed
and stricken. New statutory material is underscored.
SECTION 4. This Act shall take effect upon its approval.
Report Title:
Campaign Spending Commission Package; Violations; Fines; Noncandidate Committees; Independent Expenditures

Description:
Increases the amount of the fine that may be assessed against a noncandidate committee making only independent expenditures that has received at least one contribution of more than $10,000, or spent more than $10,000 in an election period, for campaign spending law violations. Allows the Campaign Spending Commission to order that payment of a fine assessed against a noncandidate committee, or any portion thereof, be paid from the personal funds of an officer of the noncandidate committee.

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